

Date: 07/22/98

Case Document No. MEGAN 100 CON

Express Mail No. EM 500 209 588 US

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 1503 U.S. PTO
 09/120970
 07/22/98

Patent Commissioner for Patents
 Washington, D.C. 20231

Transmitted herewith for filing is the patent application of

Inventors: Roy Curtiss, III and Steve A. Tinge

Serial No.: Continuation of 08/473,789

For: RECOMBINANT BACTERIAL VACCINE SYSTEM WITH ENVIRONMENTALLY LIMITED VIABILITY

Enclosed are:

- ☒ 1 Page of Abstract, 56 Pages of Specification, 5 Pages of Claims, and 6 sheets of informal drawings.
- ☒ An Assignment of the invention to Washington University
- ☒ Copies of Verified Statement (Declaration) Claiming Small Entity Status by Megan Animal Health, Inc. and Washington University.
- ☒ An unexecuted Declaration and executed Declaration.
- ☒ A Preliminary Amendment.
- ☒ Request for Filing a Continuation Application under 37 CFR §1.53(b).

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$395	OR		\$790
TOTAL CLAIMS	35-20 =	15	x 11 =	\$165	OR	x 22 =	\$
INDEP CLAIMS	3-3 =	0	x 41 =	\$0	OR	x 82 =	\$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			x135 =	\$0	OR	x270 =	\$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			TOTAL	\$560	OR	TOTAL	\$

- ☐ Please charge my Deposit Account No. 01-2507 in the amount of \$. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$560.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 01-2507. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 01-2507. A duplicate copy of this sheet is enclosed.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Respectfully submitted,


 Robert A. Hodge, Reg. No. 41,074

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roy Curtiss, III and Steve A. Tinge

Serial No: Continuation of 08/473,789

Express Mail Label No.
EM 500 209 588 US

Filed: July 22, 1998

Date of Deposit: July 22, 1998

For: *RECOMBINANT BACTERIAL VACCINE SYSTEM WITH
ENVIRONMENTALLY LIMITED VIABILITY*

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

**REQUEST FOR FILING A
CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)**

Sir:

This is a request for the filing of a continuation application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/473,789, filed June 7, 1995, by Roy Curtiss, III and Steve A. Tinge for "Recombinant Bacterial Vaccine System with Environmentally Limited Viability".

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application. The application includes 1 page of Abstract, 56 pages of Specification, 5 pages of claims, and 6 sheets of informal drawings.

A copy of the assignment to Washington University as filed in the prior application and recorded at Reel 7600, Frame 0008 on May 6, 1993.

09120970-072298

Continuation of U.S.S.N. 08/473,789
Applicants: Roy Curtiss, III and Steve A. Tinge
Filed: July 22, 1998
REQUEST FOR FILING A CONTINUATION
APPLICATION UNDER 37 C.F.R. § 1.53(b)

The power of attorney in the prior application is to Patrea L. Pabst. Madeline I. Johnston, and Robert A. Millman. Also enclosed is an Associate Power of Attorney Under 37 C.F.R. § 1.34.

The inventorship for the claims in the continuation application is the same as in the prior application.

Verified Statements that this application as filed by a small entity have been filed in the parent application and such status is still proper and desired.

A check in the amount of \$560.00 is enclosed to cover the filing fee for the continuation application for a small entity. It is believed that this is the proper filing fee since the continuation application will include 3 independent claims and a total of 35 claims after entry of the preliminary amendment.

Please preliminarily amend the application in accordance with the attached Preliminary Amendment. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate copy of this Request.

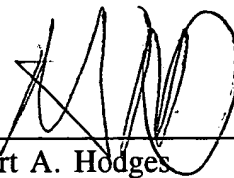
This application is being filed on July 22, 1998, by mailing the application to Box Patent Application, Commissioner for Patents and Trademarks, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10. The Express Mail Label No. EM 500 209 588 US appears in the heading of this paper, which is attached to the application, pursuant to 37 C.F.R. § 1.10(b).

09120970-072298

Continuation of U.S.S.N. 08/473,789
Applicants: Roy Curtiss, III and Steve A. Tinge
Filed: July 22, 1998
REQUEST FOR FILING A CONTINUATION
APPLICATION UNDER 37 C.F.R. § 1.53(b)

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Robert A. Hodges
Reg. No. 41,074

Date: July 22, 1998

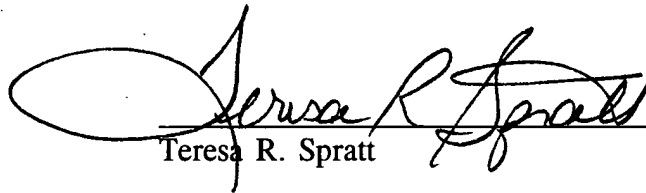
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Continuation of U.S.S.N. 08/473,789
Applicants: Roy Curtiss, III and Steve A. Tinge
Filed: July 22, 1998
REQUEST FOR FILING A CONTINUATION
APPLICATION UNDER 37 C.F.R. § 1.53(b)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this Request For Filing a Continuation Application Under 37 C.F.R. §1.53(b) and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, July 22, 1998, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R § 1.10, Mailing Label Number EM 500 209 588 US addressed to Box Patent Application, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.


Teresa R. Spratt

Date: July 22, 1998

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